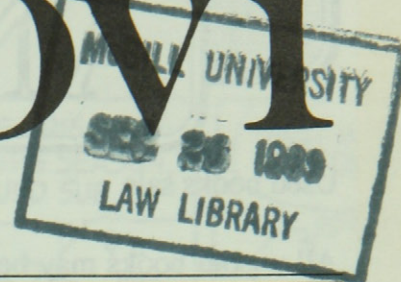


Quid Novi



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le 26 septembre 1989

CANADA'S COMPLICITY IN NEAR-GENOCIDE

by Jeffrey Rudolph, LLB III

This is a four-part submission researched and prepared by Jeffrey Rudolph, the first deals with analysing Canada's human rights record in view of Indonesia's annexation of East Timor. The second, third and fourth installments will appear consecutively in the next three issues of the Quid Novi.

It is a sad reality (conspicuously absent from the mainstream media) that Canada has assisted in one of the 20th centuries worst atrocities. Since 1975, Canada has financially, diplomatically and militarily supported Indonesia's near-genocidal invasion, occupation and illegal annexation of East Timor.

The fact that few Canadians are aware of the crimes occurring in East Timor - where Amnesty International places the number of deaths due to fighting, executions and starvation at one-third of the pre-invasion population (i.e., over 200,000 persons) - is a telling fact about the quality of our media, leaders, and educational institutions.

While the Canadian government has never hesitated to praise itself over its principled stand in international circles with respect to South Africa or the USSR, Canada has a dismal record of upholding human rights for East Timor. The fol-

lowing article will explain why this is so, by detailing how Indonesia's resources and strategic location have linked up to Western (and Japanese) needs to produce the tragedy in East Timor.

An important point needs to be addressed before one can appreciate the following information: there is no basis for believing that just because a country enjoys internal freedom its international behavior will be humane. We have no trouble believing reports of indecent international behavior by non-democratic regimes; however history provides innumerable examples of democratic states acting immorally beyond their borders. For example, consider "enlightened and democratic" Europe's behavior in its colonies (where, as an example, Belgian overlords would cut the arms off slave labourers who did not produce sufficiently). Or, consider the USA's current support for various dictators around the globe, and its miserable record of organizing the overthrow of popular regimes (e.g. Iran in 1953, Guatemala in 1954, the Dominican Republic in 1965, Chile in 1973, Grenada in 1983; and in 1986 the World Court found the USA guilty of violating international law in sponsoring a war against Nicaragua and ordered it to pay 3 billion dollars in damages to help rebuild the country.)

Indonesia: The Investor's Paradise

Indonesia achieved its independence, after four centuries of harsh Dutch rule, in 1949 under Sukarno. Western governments became increasingly hostile towards Sukarno's moderately leftist government during the 1950s, and (well documented) American attempts to overthrow him began at this time. (In the 1950s - as today - the USA could not tolerate a Third World leader who persisted in trying to serve local needs instead of American needs. Such a leader was conveniently labelled a "communist" and subject to US-organized coups. For example, in the mid 1950s, moderately nationalist and elected governments were overthrown in CIA-directed coups in Iran and Guatemala.)

The current leader of Indonesia, Suharto,
Continued on p.5

IN THIS ISSUE

Announcements	2
Coin des SPORTS Corner	3
Keeping an Eye on Moscow	4
Les cent jours d'art.....	6
Pseudo- Edito	7
Mao and then.....	8
Nocturne.....	9

ANNOUNCEMENTS

Used books sale

All unsold books may be claimed from LSA office before Friday, september 29. If you do not pick them up, they will be thrown out.

Yearbook Update

Due to circumstances wholly beyond the control of this year's editor, last year's yearbook will only be ready in late October. Anyone who is interested in working on this year's yearbook is asked to leave their name and telephone number in the yearbook box in the LSA office.

Nouveau groupe:

Les civilistes se rencontrent pour une première réunion, mercredi, le 27 septembre, à midi. The meeting will be held in room 202. All welcome!! Pour de plus amples renseignements, adressez-vous à Marie Normandin.

YING AND YANG & ASSOC.

by John Synnowich, BCL III

Reading from my tax book in the library, I was struck by the incredibly high level of specialization in the practice of law. The problem, I reflected, is endemic to all aspects of social and economic life. We all learn how to do less and less so that we can learn how to do one or two things better.

The consequences of our increasingly specialized world are many. As we all learn how to do fewer and fewer things we become more dependent on others and the systems that facilitate our interaction. More subtly, perhaps, our knowledge of ourselves and the world around us diminishes as we narrow our areas of expertise.

The problem, I realised, is a particularly large one for me. I enjoy the study of law and I intend to be admitted to the bar. But it's not all I want to do. I, for one, enjoy creating with my hands. My problem, it occurred to me, is not just a reluctance to specialise within the field of law, but a reluctance to even specialise at all to the extent necessary to become a lawyer at all. There has got to be a way, I thought, of mixing an intellectual pursuit like law with something physically creative.

Suddenly it hit me! A law office/hand

maybe an embossed leather sun visor! craft shop! It's a natural, I thought: an office where lawyers practise law part-time and create crafts the remainder of the time. The partners would work in rotation. For example: a lawyer might work one week on commercial transactions and the next week weaving on the office loom. In my mind the idea took shape. It was the perfect mix - like old Holly Near records and flavourless herbal tea! The law office could occupy two floors at Place Ville Marie. Law could be practiced on one floor of the building and the craft showroom would be on the other. Recruiting students would be easy. On Careers Day our firm would occupy a table in the Moot Court. Half the table would be full of brochures explaining our stagiaire program and hiring system and the other half would be full of samples from our office: an earthen mug, a macramé plant holder,

We could request that students submit an application, a c.v. and a sample of their handiwork. At the first interview, we could ask questions about the student's background and their interest in the field of law/crafts. In the second interview we could ask them to demonstrate their proficiency on the wood lathe or their working knowledge of clay.

Soliciting clients would be even easier. We would provide good legal services and at the same time we could provide innovative gift ideas. Why would a client go to a big firm to settle his tax problems when he could do it at our firm and complete his Christmas shopping list at the same time? A client could meet with a partner and in the same afternoon could walk out with a stained glass Tiffany lamp for his den. Clients would flock to our office in the thousands!

Avis aux Finissants

Je recherche un(e) étudiant(e) finissant ses études de droit à Montréal intéressé(e) à échangr son cours du Barreau 1990-91 pour la ville de Québec.

Contactez dès maintenant: Sophie Dagenais
tél: (514) 255-6105
(418) 688-0905

Coin Des SPORTS Corner

The first round of intramural sports is under way with several McGill Law teams represented in competition. As there was only space for 24 softball teams, three mens Law softball teams were rejected access to the league. The "Law Wrecks" and "Regal Eagles" softball teams, men and women's soccer, co-rec ultimate and women's flag football teams were all accepted. Captains should post team schedules on the Athletics Board in the Pit. Your team needs you, so play the games and do your best!

Hockey: Due to enormous demand to play this sport, the league fills up on the day of registration-Sept. 26. Those interested in playing are advised to form teams by Sept. 25, and wait in line inside the gym (475 Pine Ave.) at 7:45 a.m. on Sept 26. The Intramural Sports Officer will give out rosters at 8:30 a.m. Team Captains must staple their lists to the rosters and submit payment on the spot to ensure a place in the league.

Volleyball and Basketball will fill up quickly as well, so Team Captains should

plan to submit team rosters and payment well before the Oct. 3 deadline. Look for team rosters to appear on Sept.27.

LAW GAMES/JEUX 'RIDIKUES: Cette année les Jeux 'Ridiques auront lieu à l'université de Montréal les 3,4,5,6, et 7 janvier 1990. Il y'aura un grand choix de sports, de grandes parties, et un banquet spécial à l'Hotel Bonaventure.

The Law Games/Jeux 'Ridiques are the high point of the school year. Université de Montréal are expecting 1800 law students from across the country to participate this year. Our participation, however is limited to 175 students. Others will be put on a waiting list. Even if you do not wish to compete, it is a great chance to cut loose, meet fellow Law Students and maintain a high-spirited McGill delegation.

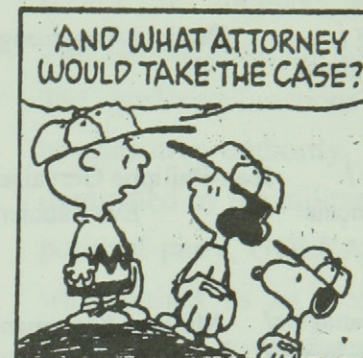
There will be a LAW GAMES/JEUX 'RIDIKUES meeting in the near future. Look in this space and in the Pit. Si vous avez besoin de renseignements n'hésitez pas à m'appeler au 286-1086. À la prochaine. Jordan!

Peanuts



By Charles M. Schulz

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Entre Nous

The *Quid Novi* is proud to offer still another service to our readers as of this issue, namely, a column devoted exclusively to messages by and for members of this faculty. Those interested in wishing one another happy birthday, or congratulations on some personal achievement or send cryptic messages to someone else, are asked to submit their brief messages to the *Quid Novi* before noon, Wednesdays for publication the following week. The *Quid Novi* editorial staff does reserve the right to refuse publishing messages that, among other things, can be construed as offensive, are too long, or that serve to undermine our national defense system and ideals of justice and bus scheduling as we know it.

David W.

Why is it important to have the Queen's face on our currency?
Lorenzo

Durnford's Tax Class Committee:
Sincere congratulations go out to the three incredibly lucky people who were elected to represent the class:
Ricky Black
Richard Sanders
Andrea Sterling

Professor Sklar:
Sincere apologies for our miserable performance!
Love always,
The Montreal Expos

Comite d'Orientation Committee '89

Thanks a million to Laura, Rob, Katherine, Bram, Pat, Stéphane, Stacy, Scott, Jordan (and all those who helped out at the Dean's Reception); you did a fantastic job and saved me from a major breakdown!!!

Mille mercis aussi à Vincent sans qui la bière n'aurait pas coulé et à Anthony sans qui l'Orientation n'aurait pas eu lieu...

And I hope all the participants, who made it all worth while, had a great time and started off the year in style!

Geneviève

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KEEPING AN EYE ON MOSCOW

By Brian Shiller, LLB IV

SOVIETS DEBATE DRAFT CRIMINAL CODE AS LEGAL REFORMS CONTINUE

As the USSR continues to reassess its present legal system, Soviet law professors continue to focus the debate on possible ways to reform the USSR Criminal Code. The basic issue confronting legal experts in the wake of the publication of a draft criminal code concerns how the drastically high crime rate can be reduced.

Opinions differ on the issue as some scholars feel that reduced sentences and an emphasis on crime prevention is the best approach to take. "People are wrong to think that cruel punishment is efficient. A long term in prison is a long period away from normal life, frequently leading to intellectual and moral degradation," said Professor Sakharov from Moscow's Interior Ministry Higher School. Others insist that reduced sentences result in an increase in the crime rate.

The current USSR Criminal Code came into force in 1958. While more than 50% of its articles have been amended over the last 30 years, only 4% of the articles relating to punishments have been altered despite the fact that the crime rate has increased 33% over that same period of time.

Soviet citizens have been writing to Pravda and Izvestia, complaining that the crime rate has increased because of Gorbachev's call for democratization - "the emancipation of people's public initiative and the humanization of our legislation." But, an editorial in Pravda points out that democratization has resulted in positive changes to the judicial and legal systems. The editorial asserts that the days of "telephone law" are over. This refers to the process by which guilt

was determined by politicians with no regard for the Rule of Law. The Soviets blame such draconian tactics on Stalin's Cult of the Personality. But, in fact, it can be blamed on the means by which the Soviets, for some 70 years, sought to silence criticism of the communist system.

A pressing problem for the Soviets concerns how to balance increased freedoms with more effective methods of crime prevention. The writers of the draft criminal code are in a position where they must consider the fact that restructuring the criminal codes should take into account the increased freedoms permitted under Gorbachev's policy of glasnost. At the moment, the USSR is experiencing the venting of decades of frustration stemming from a harsh system of law which sought to alienate all persons who appeared to oppose the Party. As the Soviets continue to restructure their laws to remedy this situation, policies will have to be adopted which balance the effects of increased democratization against the need for a stable, crime-free society.

Debate Also Addresses Capital Punishment Issue

Much debate has also centered on capital punishment. Under the present USSR Criminal Code there are 18 crimes punishable by death by firing squad. The proposed new legislation would cut that number to five: high treason, terrorist acts, subversive acts, espionage and first-degree murder. Some scholars argue that capital punishment should be abolished altogether. "Lawyers must convince people that the Criminal Code is targeted against crimes already committed. The most important thing is to eliminate the causes leading to a crime."

While the draft criminal code will not be submitted for public debate until the end of the year, it would seem likely that capital punishment will remain.

Continued from p.1

came to power in a violent 1965 US-assisted coup which led to the massacre of between 500,000 and 1 million people, mostly poor and landless peasants (many of whom had earlier sought to improve their welfare by organizing into unions, by unilateral attempts at land reform, etc.) . "on the basis of one word or the pointing of a finger" reported Amnesty International "people were taken away to be killed...[perhaps] many more than one million." As well, approximately 1 million others, accused of sympathizing with the Indonesian Communist Party ("PKI") were imprisoned; many for more than a decade.

The simple fact is that Sukarno had refused to allow the US unfettered access to resources or to comply with US strategic plans for the region, and therefore by definition he was a communist who had to be overthrown. (If the same situation had occurred before 1917, Sukarno would have been labelled a hun or papist or whatever denomology was currently in fashion to legitimize state terror.) It is interesting to note that one of the main reasons for the US's involvement in Vietnam was to safeguard Indonesia from left-nationalism. In 1953, Eisenhower justified the sending of 400 million dollars in US aid to the French war in Indochina by stating that: "[If] we lost [Vietnam] ... how would the free world hold the rich empire of Indonesia?"

In an article based on his personal involvement in the 1965 coup, 25 year CIA veteran Ralph McGhee wrote:

The killing was on such a huge scale that there were sanitation problems in East and North Sumatra. The Agency [CIA] was extremely proud of its successful (one word deleted [by CIA censors]) and recommended it as a model for future

operations. ...the Agency chose (four words deleted) as its vehicle for overthrowing Sukarno and armed tens of thousands of their subordinates."

In July 1966 the Globe and Mail, fired up on US propaganda about communist abuses in Vietnam, had this wisdom to provide: "...it is both encouraging and remarkable that responsible leaders have emerged in Indonesia."

Soon after the coup, Indonesia provided the favorable investment climate which the US sought; and US investors were quick to dominate Indonesia's oil industry. As well, Indonesia's strategic waterways, which link the Pacific and Indian oceans, became fully available for US military patrols. In return, Indonesia receives extensive financial assistance from the West, and Indonesia's elite share handsomely in the West's (and Japan's) exploitation of "their" markets and resources.

Open access to foreign investment, tax holidays, exemptions from import duties and free repatriation were among the incentives offered to foreigners. The result has been a classic Third World economic miracle (similar to Brazil's): rapid growth in manufacturing, mining and agribusiness, all while the living conditions of the bulk of the population have either been unaffected or harmed by the "progress". Western officials point to sterile statistics like GDP growth to support their claims of success, while ignoring other statistics which reveal miserable poverty (e.g. two-thirds of Indonesia's rural population lives at or

below subsistence levels) or reports such as the one by the World Health Organization which estimates that close to two-thirds of Indonesians have an inadequate diet.

In order to consolidate its power the Suharto regime instituted a program of systematic and pervasive repression of all sectors and aspects of Indonesian society that might represent an alternate source of power. Accordingly, virtually all independent organizations, such as trade unions, political parties, religious bodies, etc., are under government control. In addition, all political, judicial, and legislative functions are subordinate to executive authority, which itself is dominated by the military. (The army's political party, GOLKAR, has not lost what passes as an election since the coup.) The government has even imposed a state ideology (Pancasila) which provides a pseudo-ideological basis for its repression. Pancasila courses, a Nazi-like indoctrination in "right living", have become obligatory for the bulk of the population.

Essentially, a de-facto state of emergency has been in effect in Indonesia since 1965 (based on a number of vague legal instruments). Structurally imposed, permanent restrictions on fundamental freedoms result in a society where the violation of human rights is woven into its fabric. Thousands of persons, at any one time, are under arbitrary arrest and detention for up to one year for crimes such as "...deviat[ing] from the ideology of Pancasila..." (the interpretation of which is the sole prerogative of the government). In cases reported during 1988, "prisoners" have been subject to beatings, maiming, and the use of electric

Cont'd on p.10

LES CENT JOURS D'ART CONTEMPORAIN DE MONTREAL

by Mundy McLaughlin, B.C.L. IV

This exhibit is unique in Canada for its effort to be an international survey of artists who are presently making important statements in the visual arts. It gives the selected artists enough space to create ambitious installations, and for Canadian artists provides both national exposure and ideally international recognition that would likely be absent if non-Canadian artists were not included.

This year twenty visual artists are included: four from the United States; seven Europeans; and nine Canadians, five being from Montreal. In conjunction with the exhibition there is also a series of events including video presentations, performances and artists talks and panels. For an art installation to have teeth, the artist must be sensitized to its context. (Canadian Legal Historians take note.) The artist's private concerns must be connected to the time and space of their distribution. Thus the two pieces in this exhibit that really work are those of New York conceptual artist Joseph Kosuth, who uses the art space to question the nature of art, and Vancouver-born, Toronto-based Liz Magor, who uses specific personal narratives as metaphors for the human condition - here a specifically Canadian condition.

Kosuth's piece "(A Grammatical Remark) + 574" is proposing a definition of a proposition. It consists of two sentences wrapped around the walls of a room, with punctuation marks in neon lights, in french and in english (his sole recognition of the Quebec context). The sentence makes up sort of an intellectual "brain-twister" which is again completely self referential. And which is all referring back to the expectations of the viewer, the function of art and the artist, and the process of making art. Joseph Kosuth is a very important artist but is by definition inaccessible to a viewer who is desirous of an emotional

experience as opposed to an analytical one. Nevertheless, given his mastery of the genre the experience is always transcendental!

Liz Magor gives us the complete opposite. Her work is brimming with content, while unconcerned with formal aesthetics. Her " A Mono Home" consists of a cotton-batten field of snow behind plexiglass in which sits a tiny log cabin and a few scattered trees. On the wall facing this is a black and white photograph of a very similar cabin impossibly nestled into a rocky precipice. Unmistakably Canadian, the piece conjures up the obvious themes of frontierism, and isolation. But these homes are also invoking a sort of naked vulnerability of the individual which has an unsettling effect on the viewer.

Other work in the exhibition commences from very sympathetic premises but is unfortunately clumsily executed. Dominique Blain (Montreal) addresses wartime protection of art (i.e. property) in the face of disregard for human life. But her execution suffers from overstatement and clutter. Maria Nordman (United States) met and discussed plans for a monument with the Kahnawake Mohawks, who due to their lack of fear of heights, work construction steel bridges and skyscrapers. Instead of entering some finished plan or model for a monument, she has mounted the drawings that resulted from the talks on small panels that slide out of wooden boxes that are placed on hobby horses for no apparent reason and with no coherence. Tomiyo Sasaki (Vancouver) attempts with the help of 30 video monitors to examine the relations between the different ethnic groups in China. But the images, which seem to be mainly of commercial life, in the end appear more like a travelogue advertising a visit to China, especially given the giant symbols of a dragon and the yin and yang affixed to the opposite walls and the floor.

The requisite large sculptural works are always fun to look at, and you may want to check out the installation by Fastwürms (Toronto) who are three artists that use bright colours, campy images and artifacts (birch bark, bird skeletons, nuts, dried flowers) gathered on camping trips to northern Ontario to create a sort of altar of discovery. If nothing else these folks are dead serious, very sincere, and are all the rage in Toronto. Barbara Steinman (Montreal) has some interesting images that give "clues" relating to urban decay and the continuation of life, and Annette Messenger (France) photographically examines conceptions of human sexuality as if as a child reacting to popular stereotypes.

If you would like to see this show, it is open until December 3rd, Wednesday to Sunday from noon to 7. It is at 2000 Notre-Dame est, right beside the Moslon Brewery. Papineau is the nearest Metro. Admission is \$4 with a student card. The number to call for information is 288-0811.

Quote of the week

Prof. Durnford, in Taxation I,
on insurance agents:

"This isn't law; this is harsh reality."

Prof. Sheppard in
U.S. Constitutional Law:

"How many people feel uncomfortable
speaking out?"
.....silence.....

PSEUDO-EDITO

par Eve Saucier, BCL II

Il y a de ces réalités qui vous frappent en plein visage un de ces quatre matins, paf, sans crier gare. Tenez, l'autre jour, par exemple, j'étais tranquillement assise dans un cours de droit de la famille, entre un café et mes livres, quand tout-à-coup, une conjecture d'éléments a fait en sorte que m'apparaisse la chose suivante: en se prenant si au sérieux et en s'accordant autant d'importance, à eux et à l'institution appelée droit, certains juristes sont au mieux ridicules, au pire, futiles (Ouh, on ne rit plus).

Prenez le désormais célèbre arrêt Daigle c. Tremblay, rendu en Cour d'appel cet été. Considérant les opinions majoritaires, spécialement celle du juge Lebel, il est déplorable de voir à quel point on a voulu solutionner à toute force le problème qui était devant la cour, à quel point on a pu étirer les règles juridiques existantes pour essayer d'englober la question qui se posait en l'espèce, à savoir si le fœtus est une personne.

Cette controverse est un bel exemple de l'aspect quelque peu absurde de

l'entreprise légale qui, pour certains, doit être en mesure, toujours et partout, de pouvoir tout régler, à l'aide de notions somme toute assez abstraites.

Dans le cas du statut du fœtus, sujet représentatif de ceux dont la bioéthique traite, la société se trouve à un point crucial de son histoire, où, pour une des premières fois, elle doit elle-même se définir de nouvelles règles de conduite, suite aux progrès scientifiques et à l'abandon des valeurs traditionnelles. Voir, en contraste, des juristes qui croient, quelque peu pompeusement, pouvoir résoudre la question (qui, est-il besoin de le mentionner, relève autant de la philosophie et de la science que du droit) en appliquant tout simplement, trop facilement, des concepts déjà présents, créés pour une toute autre fin (les "droits" économiques du fœtus, soumis à une condition suspensive ou résolutoire, dépendant des thèses) et qui donc, porte l'observateur à analyser la mentalité juridique comme quelque peu futile: ainsi, la vie en société en général ne serait qu'un gros jeu dont les règles seraient le droit; et dorénavant, tous les problèmes devraient nécessairement être résolus seulement en faisant appel à ces quelques concepts figés, qui, à force

d'être étirés dans leur signification et leurs implications, n'ont plus rien à voir avec la réalité qu'ils sont supposés représenter.

En un mot, les règles doivent s'ajuster à la réalité, et non pas l'inverse, et non pas essayer à tout prix de faire entrer absolument toute situation dans les moules pré-établis, en nombre finis, aux applications limitées, que sont ces règles. Le droit n'est pas suprême, supérieur à la réalité et à l'évolution sociale, il n'en est que le vassal (Oh que c'est beau). Et lorsqu'il n'y a pas de règle existante convenable pour telle ou telle question, c'est au législateur de prendre les rênes et d'en créer une, après un examen approprié de tous les angles pertinents du problème.

Tout ceci pour dire que quelquefois, c'est bien par l'exemple du cas extrême qu'est mise en relief une conception donnée. Que cela lui plaise ou non, le droit n'est jamais qu'accessoire au "jeu" dont il incarne les règles, et donc d'une importance très limitée. Comme le dit le juge Monet, dans Ali Khan c. Arthington-Cutton, [1985] C.A.: "lorsque le Droit (sic) se désincarne, à l'écart des sujets de droits, il ne commande guère le respect."

Continued from p.5

shocks. As well, there have been consistent reports of torture and disappearances of suspected members of East Timor's (and Irian Jaya's) resistance movements. (Indonesia's armed forces are by far the most numerous in the region and while they face no external enemies they are needed to control internal uprisings across Indonesia's 3,000 inhabited islands. Increasing repression is the government's response to popular discontent stemming from economic hardship.) The result of all these instruments

of repression is labelled as "stability" in the West.

Unsurprisingly, as a military dictatorship exists, vast fortunes have been made by generals, who are omnipresent in the economy (often as joint venture partners with Western and Japanese companies). Private enterprise and dictatorship can exist comfortably together; true competition, not just private enterprise, is the necessary stimulus for democracy.

Since Indonesia has been rated among

the world's top ten state terrorists (along with several other US buddies such as Chile, Guatemala and El Salvador), one may wonder why it is that the US supports it while trying to overthrow a state like Nicaragua (which was hailed by Oxfam as one of the few Central American states to truly work to improve the welfare of its people; while under Somoza Nicaragua was a brutal dictatorship)? The answer is simple: conditions which lead to a favorable investment climate (e.g. low wages, limited regula-

Continued on p.8

Continued from p.7

tions, etc.) lead to economic misery for the great bulk of the population, and therefore strong military and police forces are needed to quell the inevitable revolutionary tendencies. In other words, true steps toward democracy will lead to regimes which respond to local needs, and this will directly harm US interests.

Hey You! Yeah, You!

The Quid Novi is looking for students who enjoy writing, either serious or humorous articles about life in the McGill Faculty of Law. We encourage submissions regarding events both within and outside the Faculty which raise topics of interest or concern to students and staff alike.

Conscient des intérêts extérieurs que nous avons tous, nous avons créé le poste de Rédactrice artistique tenu par Darcy Edgar. Les étudiants voulant remettre des articles sur les films, la danse, le théâtre, la musique, etc., sont priés de communiquer avec Darcy ou un autre rédacteur Quidien.

Mao and then

by Véronique Bélanger, BCL III

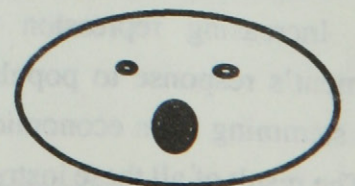
S'il est vrai qu'une bonne partie du travail des bénévoles de la clinique consiste à expliquer à leurs clients la différence entre la sous-location et la cession de bail, il arrive aussi que nous soyons confrontés à des problèmes de plus grande envergure.

Cet été, nous avons été impliqués dans une affaire qui a pris des proportions internationales. A la suite des massacres de la place Tiananmen, de nombreux étudiants chinois de Montréal ont participé aux diverses manifestations pour dénoncer les actions du gouvernement chinois. Ces manifestations ont reçu une attention particulière de la part des médias, et certains étudiants ont même eu leur photo à la une des journaux.

Compte tenu de la situation extrêmement incertaine dans leur pays, les étudiants chinois, appuyés par des membres de la communauté montréalaise, ont fait pression sur le gouvernement fédéral dans le but d'obtenir des garanties quant au statut de ces étudiants au Canada. Ottawa a réagi en introduisant des mesures administratives spéciales s'appliquant aux étudiants chinois ayant agi de façon à "embarrasser leur gouvernement". Dans la pratique, ces directives ont permis à tous les étudiants ayant commis des gestes de nature à rendre leur retour en Chine risqué, de présenter une demande de statut de résidence permanente au Canada sans avoir à quitter le pays. On sait en effet que, selon la loi canadienne sur l'immigration, une telle demande doit être faite obligatoirement de l'extérieur du Canada.

C'est à ce moment que la clinique a pu intervenir. De concert avec le conseiller des étudiants étrangers de McGill, M. Lawrence Lang, et sous la supervision de Me Richard Kurland, avocat spécialisé en droit de l'immigration, nous avons mis sur pied un service d'aide aux étudiants chinois désireux de présenter une demande de statut de résidence permanente. Nous les avons aidés à remplir les formulaires, qui, sans être vraiment compliqués, requièrent une foule de détails dont l'exactitude est cruciale. Il fallait surtout éviter que leurs demandes soient retardées, voire rejetées, à cause d'une inexactitude dans le formulaire. Il fallait aussi s'assurer que les documents prescrits avaient été photocopiés (passeports, visas, permis de travail, etc.), le tout évidemment en trois exemplaires, bureaucratie oblige! Enfin, les étudiants devaient accompagner leur demande d'une déclaration expliquant quels gestes ils avaient posé pour "embarrasser leur gouvernement", déclaration que nous avons souvent pour tâche de corriger afin, nous demandaient-ils, de la rendre plus éloquente. En rétrospective, on peut conclure que notre rôle était avant tout d'apaiser leurs craintes. En effet, il est vite devenu évident qu'en pratique, le gouvernement canadien accorderait le statut de résident permanent à tout étudiant chinois qui en ferait la demande.

Épilogue: Plusieurs de ces étudiants ont déjà passé leur entrevue avec l'agent d'immigration et les autres devraient le faire sous peu. Le gouvernement a aussi accordé à ces étudiants des permis de travail ouverts, leur permettant de travailler ailleurs que sur le campus de McGill, comme c'est normalement le cas pour les étudiants étrangers. En fait, toutes ces mesures ont permis aux étudiants chinois de continuer à étudier au Canada, sans avoir la crainte de subir des représailles de la part de leur gouvernement. En même temps, ils seront toujours libres, si la situation dans leur pays venait à changer, de retourner y vivre.



Nocturne

(Complexe Desjardins, salle 2)
par Maryse Beaulieu, BCL II

Je dois l'admettre au départ, je suis une fanatique de Jean-Hugues Anglade. Vous savez, celui de "37.2"! Enfin, peut-être qu'il ne vous dit rien et c'est bien dommage pour vous.

Quant à Alain Corneau, le réalisateur, j'avoue qu'il n'a pas pesé lourd dans la balance lorsque j'ai arrêté mon choix (ma fixation toujours). Eh bien, j'avais raison, cet acteur a quelque chose de presque impudique qui vous fait baisser les yeux tellement il crève l'écran.

Et alors le film? Infiniment triste. Très

minimaliste dans les dialogues, un film d'économie. Mais les images, elles, vous abreuvent : la lumière, les teintes grisâtres et ocres, la chaleur étouffante, les contrastes. Visuellement soigné mais non pas précieux ou étrié. Le tout enveloppé de musique qui scelle ces images au personnage et qui nous renvoie une signification nouvelle.

Un homme en cherche un autre, voilà l'histoire. On connaît très peu leurs rapports - ils ont étudié ensemble jadis; étaient amis. "D'un homme en cherche un autre" on aboutira finalement à "un homme se cherche par le biais d'un autre", voyage intérieur. Sujet éminemment philosophique s'il en est

un. L'Inde, un pays pour se perdre nous dit-on. Très difficile de raconter ce film. À la sortie du cinéma : le néant. Le genre de film ambivalent.

Certes, pas facile à suivre, même qu'à un certain moment, ça ne lève pas, mais Jean-Hugues Anglade a cette errance dans les yeux...

Les villes dans lesquelles on suit l'itinérant illustrent extrêmement bien le propos. Tout ceci dévoilé lentement, par les aléas des rencontres d'un voyageur solitaire à la recherche d'un dénommé Xavier correspondant à ceci : grandeur moyenne, cheveux raides et ayant l'air triste quand il sourit.

Herman

By Jim Unger



"I asked that lawyer on the third floor what time he wanted me to clean his office and he sent me a bill for \$65."

Herman

By Jim Unger



"How are you gonna defend me if you can't stop laughing?"

FOREPLAY TODAY...

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